

CHIEF JUDGE DAVID G. ESTUDILLO

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,) No. CR22-5139-DGE
Plaintiff,)
v.) MOTION TO FILE OVERLENGTH
JOÃO RICARDO DEBORBA,) REPLY TO RESPONSE IN
Defendant.) OPPOSITION TO MR. DEBORBA'S
) MOTION TO DISMISS
)
) NOTED: September 29, 2023

COMES NOW defendant, João DeBorba, and respectfully files this motion seeking the Court’s permission to file a Reply to the government’s Response in Opposition to his Motion to Dismiss of 37 pages. As the Court is aware, Mr. DeBorba’s Motion contains multiple related arguments to dismiss the multiple charges he faces. These arguments relate to last year’s landmark Supreme Court decision in *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 142 S. Ct. 2111 (2022). Dkt. 36. Mr. DeBorba’s Reply follows the government’s 56-page Response in Opposition. Dkt. 51. In his Reply, Mr. DeBorba addresses the government’s multiple and complex legal arguments, and responds with additional authorities to the government’s historical arguments. Undersigned counsel believes the Reply is as short as possible while still appropriately briefing the issues, which cannot be adequately briefed within the six-page limit of CrR 12(b)(5).

Accordingly, Mr. DeBorba seeks permission to file a Reply of not more than 37 pages.

Dated this 29th day of September 2023.

Respectfully submitted,

s/ Rebecca Fish

Assistant Federal Public Defender
Attorney for Mr. João DeBorba